

Translation

PATENT COOPERATION TREATY

PCT/FR2003/00104



PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference B0136/PCT	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/FR2003/001047	International filing date (day/month/year) 03 avril 2003 (03.04.2003)	Priority date (day/month/year) 03 avril 2002 (03.04.2002)
International Patent Classification (IPC) or national classification and IPC D04H 3/04		
Applicant CHAVANOZ INDUSTRIE		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 5 sheets, including this cover sheet.

☐ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of _____ sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☒ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand 30 octobre 2003 (30.10.2003)	Date of completion of this report 25 March 2004 (25.03.2004)
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

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I. Basis of the report

1. This report has been drawn on the basis of *(Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to the report since they do not contain amendments.)*:

☐ the international application as originally filed.

☒ the description, pages 1-18, as originally filed,
pages _____, filed with the demand,
pages _____, filed with the letter of _____,
pages _____, filed with the letter of _____.

☒ the claims, Nos. 1-19, as originally filed,
Nos. _____, as amended under Article 19,
Nos. _____, filed with the demand,
Nos. _____, filed with the letter of _____,
Nos. _____, filed with the letter of _____.

☒ the drawings, sheets/fig 1/1, as originally filed,
sheets/fig _____, filed with the demand,
sheets/fig _____, filed with the letter of _____,
sheets/fig _____, filed with the letter of _____.

2. The amendments have resulted in the cancellation of:

☐ the description, pages _____

☐ the claims, Nos. _____

☐ the drawings, sheets/fig _____

3. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

4. Additional observations, if necessary:

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IV. Lack of unity of invention

1. In response to the invitation to restrict or pay additional fees the applicant has:

- ☐ restricted the claims.
- ☐ paid additional fees.
- ☐ paid additional fees under protest.
- ☐ neither restricted nor paid additional fees.

2. ☒ This Authority found that the requirement of unity of invention is not complied with and chose, according to Rule 68.1, not to invite the applicant to restrict or pay additional fees.

3. This Authority considers that the requirement of unity of invention in accordance with Rules 13.1, 13.2 and 13.3 is

- ☐ complied with.
- ☒ not complied with for the following reasons:

See supplemental sheet

4. Consequently, the following parts of the international application were the subject of international preliminary examination in establishing this report:

- ☒ all parts.
- ☐ the parts relating to claims Nos. _____

Supplemental Box
(To be used when the space in any of the preceding boxes is not sufficient)

Continuation of: IV

The subject matter of claims 1 to 15 ("invention A") is a fabric mesh according to claim 1 and a method for manufacturing same, including a step whereby a coating of heat-reactivable adhesive having a viscosity not exceeding 40 Pa.s at a temperature of 230 °C is applied.

However, the subject matter of claims 16 to 19 ("invention B") is a device for implementing said method, including a tank for containing adhesive as defined therein (a tank as per D1 would satisfy this condition), a roll as defined in claim 16 for depositing the adhesive from the tank onto a fabric mesh and a conveying means for bringing the fabric mesh into contact with the roll.

Indeed, the shared features are merely the fact that the tank must be capable of maintaining the adhesive as defined in a molten state, that there is a means for depositing the adhesive on the fabric mesh and that there is a conveying means for feeding the fabric mesh. These features are already well known from D1 (for example, see point V.1 hereunder). In fact, the entire device is already known from said document and from D2 and D3.

Furthermore, the aim of the subject matter of claims 1 to 15 is that of solving the problem of an unduly high adhesive reactivation temperature. However, the aim of the subject matter of claims 16 to 19 is that of solving the problem of banks forming during the application of the adhesive to the fabric mesh.

Consequently, the present application concerns two inventions (A and B) that are not so mutually linked as to form a single general inventive concept, and therefore fails to meet the requirements of PCT Rule 13.1

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V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1-15	YES
	Claims	16-19	NO
Inventive step (IS)	Claims	1-15	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-19	YES
	Claims		NO

2. Citations and explanations

Reference is made to the following documents:

- D1: PATENT ABSTRACTS OF JAPAN vol. 012, no. 316 (C-524), 26 August 1988 (1988-08-26) & JP 63 088078 A (CANON INC), 19 April 1988 (1988-04-19)
- D2: PATENT ABSTRACTS OF JAPAN vol. 017, no. 154 (C-1040), 26 March 1993 (1993-03-26) & JP 04 317764 A (NEC CORP), 9 November 1992 (1992-11-09)
- D3: PATENT ABSTRACTS OF JAPAN vol. 013, no. 231 (P-878), 29 May 1989 (1989-05-29) & JP 01 039650 A (FUJI PHOTO FILM CO LTD), 09 February 1989 (1989-02-09) & JP 01 039650 A (FUJI PHOTO FILM CO LTD) 09 February 1989 (1989-02-09)
- D4: EP-A-1 029 665

0. Interpretation of the claims

- 0.1 An adhesive always includes polymers or polymerizable compounds, i.e. polymer adhesives. Claims 8 and 15 therefore provide no additional feature. Since said claims are superfluous, they also fail to meet the requirement of conciseness of PCT Article 6.

1. The devices described in D1, D2 and even D3 all comply with the definitions of present claims 16 to 19. The same applies to D4 (figures 2 and 3; column 3, lines 25 to 36).

The subject matter of present claims 16 to 19 is therefore not novel (PCT Article 33(2)).

2. There is nothing in the prior art to indicate that the selection of a heat-reactivable adhesive having a viscosity not exceeding 40 Pa.s at 230 °C may be useful for solving a problem of high-temperature sensitivity of materials to be further bonded. The subject matter of claims 1 to 15 is therefore novel and involves an inventive step.